

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

SAMMY J. KING,

Plaintiff,

-against-

5:19-CV-1309 (LEK/TWD)

COLLEEN FAHY-BOX,

Defendant.

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**DECISION AND ORDER**

**I. INTRODUCTION**

This matter comes before the Court following a Report-Recommendation and Order filed on January 17, 2020, by the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3, Dkt. No. 6 (“Report-Recommendation” and “Order”), concerning the sufficiency of pro se plaintiff Sammy J. King’s complaint, Dkt. No. 1 (“Complaint”).

**II. STANDARD OF REVIEW**

Within fourteen days after a party has been served with a copy of a magistrate judge’s report-recommendation, the party “may serve and file specific, written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b); L.R. 72.1(c). If objections are timely filed, a court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” § 636(b). However, if no objections are made, or if an objection is general, conclusory, perfunctory, or a mere reiteration of an argument made to the magistrate judge, a district court need review that aspect of a report-recommendation only for clear error. Barnes v. Prack, No. 11-CV-857, 2013 WL

1121353, at \*1 (N.D.N.Y. Mar. 18, 2013); Farid v. Bouey, 554 F. Supp. 2d 301, 306–07, 306 n.2 (N.D.N.Y. 2008), abrogated on other grounds by Widomski v. State Univ. of N.Y. at Orange, 748 F.3d 471 (2d Cir. 2014)).

### **III. DISCUSSION**

Since the Report-Recommendation was docketed, Plaintiff has filed a single document, which is incomprehensible. Dkt. No. 7. For instance, it requests that Plaintiff be allowed to take some oath of office under “syntax law.” Id. Consequently, even viewing this document with the liberality due a pro se plaintiff’s filings, see Tracy v. Freshwater, 623 F.3d 90, 101 (2d Cir. 2010), the Court cannot even liberally construe it as an objection to Judge Dancks’s Report-Recommendation. The Court has therefore reviewed the Report-Recommendation for clear error and has found none. The Report-Recommendation is consequently adopted by the Court in its entirety.

### **IV. CONCLUSION**

Accordingly, it is hereby:

**ORDERED**, that the Report-Recommendation (Dkt. No. 6) is **APPROVED and ADOPTED in its entirety**; and it is further

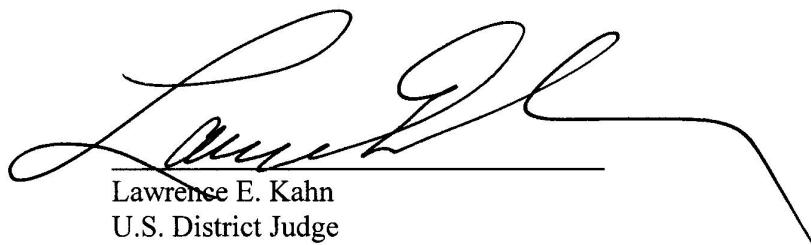
**ORDERED**, that Plaintiff’s Complaint is **DISMISSED without leave to amend** for lack of subject-matter jurisdiction; and it is further

**ORDERED**, that the Clerk close this case; and it is further

**ORDERED**, that the Clerk serve a copy of this Decision and Order on all parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

DATED: April 14, 2020  
Albany, New York



A handwritten signature in black ink, appearing to read "Lawrence E. Kahn". Below the signature, the name is printed in a standard font: "Lawrence E. Kahn" on the first line and "U.S. District Judge" on the second line.

Lawrence E. Kahn  
U.S. District Judge